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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 LANTZ ARNELL,) Civil No. 08cv0441-LAB (RBB)
12)
13 Plaintiff,) **ORDER DENYING PLAINTIFF'S**
14) **REQUEST FOR COURT ORDER FOR**
15 v.) **BANK'S SURVEILLANCE RECORDS**
16) **[DOC. NO. 21]**
17 JACK LIEB ESQ. & ASSOC.; JUDGE)
18 WILLIAM MCADAM,)
19)
20 Defendants.)
21 _____)


22 Plaintiff Lantz Arnell has submitted a Request for Court Order
23 for Bank's Surveillance Records and Request for Enlargement of Time
24 to Serve Jack Lieb [doc. no. 21], which was filed nunc pro tunc to
25 July 7, 2008. Plaintiff alleges he has not be able to locate
26 Defendant Jack Lieb for purposes of service of process. (Req. 2.)
27 Arnell claims that a man purporting to be Jack Lieb, but who is not
28 actually the Defendant, met Plaintiff at a Washington Mutual Bank
on March 19, 2008, to accept service. (Id.) The man's image was
allegedly recorded by the bank's video surveillance cameras. (Id.)
Arnell is asking the Court to order the bank to release the video
surveillance tape to Plaintiff. (Id.) Although not entirely

1 clear, it appears that Arnell wishes to make a copy of the tape to
2 provide to the FBI so that the FBI can initiate an investigation
3 into the man who is allegedly posing as Jack Lieb. (Id. at 2-3.)

4 The Federal Rules of Civil Procedure provide that a party is
5 entitled to obtain discovery regarding any matter that is relevant
6 to the claim or defense of any party. Fed. R. Civ. P. 26(b)(1).
7 The bank surveillance tapes Plaintiff is seeking are not relevant
8 to the present case. Arnell's stated reason for obtaining the
9 tapes is to provide them to the FBI so the Bureau can initiate an
10 investigation. This is not a proper purpose for discovery.
11 Furthermore, there is no reason to believe that viewing the
12 surveillance tapes of the alleged imposter will assist Plaintiff in
13 serving his Complaint on the real Jack Lieb. Accordingly,
14 Plaintiff's Request for Court Order for Bank's Surveillance Records
15 is **DENIED**. Arnell's request for an extension of time to serve
16 Defendant Lieb will be addressed in a separately-filed order.

17 **IT IS SO ORDERED.**

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19 DATED: July 17, 2008



Ruben B. Brooks
United States Magistrate Judge

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21 cc: Judge Burns
22 All Parties of Record
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